



Village Planning Committee Meeting Summary

Z-TA-1-25-Y INFORMATION ONLY

Date of VPC Meeting

September 29, 2025

Proposal

Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item No. 3 (Z-TA-1-25-Y) and Item No. 4 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation summarizing the proposed text amendment and rezoning case, highlighting the background regarding state legislation, details of the proposed zoning text to revise regulations and create the Middle Housing Overlay District, the boundary of the proposed overlay, and a summary of the timeline for the cases.

QUESTIONS FROM COMMITTEE

Committee Member Blackman asked for clarification about the applicability area. **Mr. Grande** provided additional information about the mechanism for applying the overlay to new subdivisions of 10 acres or more.

Committee Member Strem asked about how compatibility of new buildings is determined. **Mr. Grande** stated that existing zoning and design review requirements would still be in place.

Committee Member Fisher noted an issue about taxation and code enforcement for these lots since the new units will not be subdivided for ownership.

Chair Gasparro stated there are issues with infrastructure and parking. **Mr. Grande** noted that the City doesn't have the ability to require more parking than one parking space per unit under this code.

Committee Member Broberg asked if the City has an analysis of the potential universe of homes that could take advantage of this ordinance and if there is an understanding of the neighborhoods that will be impacted with potential parking issues. **Mr. Grande** noted that staff have been discussing with neighborhoods around downtown that have been concerned about potential impacts.

Committee Member Strem asked if the State provided a rationale for passing this legislation. **Chair Gasparro** stated that many cities and states are passing similar laws to this to help with housing affordability.

Chair Gasparro asked for clarification on the penalty if a city does not comply with this law. **Mr. Grande** replied that the penalty could be that the City would lose control over regulation for middle housing completely.

Committee Member Broberg asked for clarification on the lot coverage requirement. **Mr. Grande** replied that the lot coverage requirements for single-family lots would not be changed by this text.

Committee Member Slobodzian asked about discussions with the Water Services Department about water supply. **Mr. Grande** stated that new water connections are reviewed by the Water Services Department and developments are required to have a water supply before they can be built, adding that sewer capacity is required in the same way.

Committee Member Fisher asked if there was any consideration about other issues such as deeds and taxes that could delay construction. **Mr. Grande** noted that the legislation requires the City to allow middle housing through zoning and development codes, which is what this proposal does.

Chair Gasparro asked about public comments that have been given in the meetings up to this point. **Mr. Grande** noted that the largest concern has been the impacts to historic neighborhoods near downtown.

Committee Member Broberg asked if this legislation was crafted based on a bill in another state. **Mr. Grande** stated that he didn't know. **Chair Gasparro** speculated that this legislation was copied and pasted from another state.

Committee Member Fisher discussed the need for a mechanism to enforce changes to the tax requirements for new middle housing developments. **Committee Member Broberg** added that this creates an incentive to not disclose additional units on a lot to avoid tax issues.

Committee Member Fisher asked if HOAs would have the ability to restrict middle housing. **Mr. Grande** stated that the law does not impact HOA requirements.

Chair Gasparro commented about issues with school capacity that haven't been considered in creating this legislation.

Committee Member Jain stated that this is not a good response to the legislation and that the City could have tried to realize the goal of the legislation and revised the zoning regulations to do more than the minimum to incentivize additional housing. **Mr. Grande** reviewed some of the City's housing-related policies, noting that this ordinance was focused on responding specifically to the legislation.

Committee Member Strem stated that this will not create affordable housing.

Chair Gasparro suggested that incentivizing housing could be done through demolition credits and fee waivers in the area where middle housing is desired by policymakers.

Vice Chair Mager asked if this would likely result in demolition of buildings to construct middle housing developments. **Mr. Grande** stated that it is a question of economic feasibility for each lot, highlighting that the law would allow redevelopment or conversion of existing homes.

Committee Member Fisher stated that the legislation is not well written.

Committee Member Broberg highlighted that the City could provide a better response to what they are doing to address the housing shortage in Phoenix.

Committee Member Fisher stated that this overlay should be limited to the one-mile radius that's required, and it would be an issue if it were expanded.

Chair Gasparro asked if the Committee's comments will be conveyed to the Planning Commission. **Mr. Grande** stated that the comments drafted as minutes will be provided to the Planning Commission before the meeting on this item.

Committee Member Jain asked for clarification about how the overlay will apply to new developments of 10 acres or more. **Mr. Grande** described the mechanism.

PUBLIC COMMENTS

None.

Village Planning Committee Meeting Summary Z-TA-1-25-Y

Date of VPC Meeting	September 30, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION

Committee Member Crews arrived during this item, bringing quorum to 11 members.

Item Nos. 3 (Z-TA-1-25-Y) and 4 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

STAFF PRESENTATION

John Roanhorse, staff, provided a presentation summarizing the proposed text amendment and rezoning case and stated the items would be heard concurrently. Mr. Roanhorse stated that there had been previous public presentations on this text amendment and information was available online. Mr. Roanhorse discussed the background regarding House Bill 2721, details of the proposed zoning text to revise regulations and create the Middle Housing Overlay District. Mr. Roanhorse provided examples of Middle Housing and the applicability for residential development. Mr. Roanhorse presented the applicability to new subdivisions, limitations and the implications for Historic Preservation. Mr. Roanhorse displayed the boundary of the proposed overlay, and a summary of the timeline for the cases.

QUESTIONS FROM THE COMMITTEE

Committee Member Krietor asked for clarification on the northern boundary of the Central Business District. **Mr. Roanhorse** responded that the northern boundary is McDowell Road. Committee Member Krietor stated that the area shown does not appear to include the Alhambra Village, but Middle Housing would be important for the

area and the requirement for 20 percent in new subdivisions may not be applicable to Alhambra, as there are few, if any, sites available for new subdivision development.

Chair Sanchez asked if an ADU (Accessory Dwelling Unit) would allow for two-story construction on a lot. **Mr. Roanhorse** responded that Middle Housing allows duplexes, triplexes, fourplexes and townhomes would allow up to two stories. Committee Member Keyser commented that ADUs have typically been limited to one story, and the text amendment appears to be a change from past regulations, noting that he had seen two-story accessory structures previously cited for noncompliance.

Committee Member Ender asked whether the middle housing requirements would impact existing CC&Rs (Covenants, Conditions, and Restrictions). **Mr. Roanhorse** responded that the state legislation does not override private CC&Rs, which are enforced separately from city zoning regulations. Committee Member Ender asked about the availability of infrastructure and services to support Middle Housing development. Mr. Roanhorse responded that during the plan review process, City staff evaluate the availability of infrastructure and identify any necessary adjustments, and this information is provided to the applicant to ensure that new development can be supported appropriately.

Committee Member Ender asked how parking would be accommodated for middle housing, particularly in neighborhoods where street parking is already common. **Mr. Roanhorse** responded that parking can be provided on the lot being developed and noted that under the new text amendment, the city cannot require more than one off-street parking space per dwelling unit, in alignment with the state's middle housing legislation.

Committee Member Harris asked if there will be design criteria in place to ensure that middle housing developments in existing neighborhoods maintain the appearance of single-family homes to maintain the architectural character of the area. **Mr. Roanhorse** responded that all new developments must comply with the design requirements outlined in the zoning ordinance.

Committee Member DeGraffenried asked if middle housing could be designed to resemble single-family homes. **Mr. Roanhorse** responded that while the developments must follow established design guidelines, the intent is to ensure compatibility with surrounding structures.

Committee Member Keyser asked about the applicability of historic preservation which raised a question on designated historic buildings and if existing parking would remain in place if the property were redeveloped. **Mr. Roanhorse** responded that if an entitlement for parking has already been granted in association with a site, it would remain valid unless the entitlement is formally changed.

Committee Member Shore asked about the potential impact of Middle Housing on historic properties and if the new regulations could lead to increased demolitions and asked if there would be changes to front yards and lot configurations. **Mr. Roanhorse** responded that historic properties are not exempt from the middle housing requirements and the existing review procedures and demolition restrictions for historic properties would remain unchanged.

Committee Member Crews commented that various duplex and triplex properties blend into existing neighborhoods and noted a specific example near 3rd Avenue and Thomas Road, where a house with multiple units had parking integrated into the existing design. Committee Member Crews stated that the legislative intent behind the Middle Housing requirements was to increase housing options, not to override local design authority. **Mr. Roanhorse** noted that the text amendment did not include any provisions that would preempt the City's authority over design standards, and this remains a city responsibility, allowing communities to maintain architectural consistency and neighborhood character.

Committee Member Velasco asked if the intent of the legislation was to increase housing supply which does not necessarily guarantee affordability. **Mr. Roanhorse** responded that the current housing shortage has driven a surge in residential development and that Middle Housing is one strategy to diversify the housing stock and provide a broader range of options to meet varying needs and conditions.

Committee Member Crews stated that affordable housing remains a significant challenge in the community and there needs to be a broad discussion on the topic to explore several potential solutions. Committee Member Crews stated no definitive conclusions were reached during legislative discussions. Committee Member Crews expressed the importance of collaboration among various levels of government and community organizations in addressing housing affordability. Committee Member Crews stated the Village Planning Committee has a role in facilitating these discussions and contributing to potential solutions. Committee Member Crews expressed optimism that the introduction of Middle Housing could improve both pricing and availability, potentially to ease the affordability crisis. Committee Member Crews stated there is concern about the trend of constructing luxury-style short-term rentals, such as Airbnb properties, which may undermine affordability goals and stressed the need for closer monitoring of such developments. Committee Member Crews stated that affordability does not equate to availability, especially as more people continue to move to Phoenix and while current pricing may allow some individuals to purchase homes, addressing the broader issue of affordability will require significant and sustained involvement from multiple stakeholders.

Committee Member Vallo asked about density bonuses for low-income housing. Mr. Roanhorse responded that there are incentives in place for development and noted that there are challenges due to the prevalence of market-rate developments, which often outpace affordable housing projects. **Mr. Roanhorse** said there are active projects

currently underway that do include affordable housing components and progress is being made but will take time before these units become readily available to the community.

Committee Member Krietor commented that the Alhambra Village has demonstrated responsiveness in adapting to housing needs, particularly through its integration with light rail and collaboration with organizations such as UMOM and Catholic Charities and these efforts have helped provide housing options and opportunities for residents and stated that the Village Planning Committee has consistently supported initiatives that promote affordable housing.

Committee Member Shore asked how TOD (Transit-Oriented Development) supports residential growth. **Mr. Roanhorse** responded that TOD is designed to facilitate active transportation by improving accessibility between residential areas and businesses along the light rail corridor which are specifically planned to maximize access and ridership while promoting a variety of residential options.

Committee Member Keyser asked if the existing overlay districts would be extended and commented that potential adverse impacts of urban sprawl may result. Committee Member Keyser stated that sprawl affects transportation systems, energy consumption, and design efficiency which are issues that all planning committees should consider as development continues. **Mr. Roanhorse** responded that the city has implemented a shade policy, incorporated water conservation measures, and improved construction design standards, all of which contribute to more sustainable development practices. Committee Member Keyser commented that while improved irrigation systems are beneficial, they have limitations and noted the importance of monitoring and adjusting policies as new technologies emerge to ensure long-term effectiveness and sustainability.

PUBLIC COMMENTS

None.

Village Planning Committee Meeting Summary
Z-TA-1-25-Y
INFORMATION ONLY

Date of VPC Meeting	September 9, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Vice Chair Paceley left the meeting during this item, bringing quorum to 16 members.

Item Nos. 5 (Z-TA-1-25-Y) and 6 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation summarizing the proposed text amendment and rezoning case, highlighting the background regarding state legislation, details of the proposed zoning text to revise regulations and create the Middle Housing Overlay District, the boundary of the proposed overlay, and a summary of the timeline for the cases.

QUESTIONS FROM COMMITTEE

Committee Member Schmieder asked about the scenario of an existing fourplex and if the owner would be required to keep it. **Mr. Grande** replied that the zoning would still allow single-family homes and would not require a fourplex to be constructed or retained.

Committee Member Beckerleg Thraen asked for clarification regarding this proposal and the ADU text amendment. **Mr. Grande** replied that the ADU provision is separate and would still be allowed on lots with a single-family home.

Committee Member Guevar asked if the City had looked into potential issues with lenders who could see these properties as multifamily after this overlay is approved. **Mr. Grande** replied that he hadn't heard of that concern, noting that the zoning districts would retain the label of Single-Family Residence District.

Committee Member Whitesell asked for clarification that this would apply on any individual lot within 1 mile of downtown. **Mr. Grande** replied that it would. **Mr. Whitesell** stated a desire to communicate to the City that they should advocate to the State Legislature for creating an exemption for historic properties. **Chair Fischbach** stated that since this is information only, the Committee should not take a formal vote on any motion, encouraging Committee Members to contact their representatives at the City level to express their concerns.

PUBLIC COMMENTS

None.



Village Planning Committee Meeting Summary
Z-TA-1-25-Y
INFORMATION ONLY

Date of VPC Meeting

September 8, 2025

Proposal

Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

No quorum.



Village Planning Committee Meeting Summary

Z-TA-1-25-Y INFORMATION ONLY

Date of VPC Meeting	September 16, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item No. 4 (Z-TA-1-25-Y) and Item No. 5 (Z-3-25-4-7-8) are companion cases and were heard together.

Committee Member Leon Thomas left during this item bring the quorum to 8 members present.

One member of the public registered to speak on this item.

STAFF PRESENTATION

Robert Kuhfuss, staff, provided a presentation summarizing the proposed text amendment and rezoning case, highlighting the background regarding state legislation, details of the proposed zoning text to revise regulations and create the Middle Housing Overlay District, the boundary of the proposed overlay, and a summary of the timeline for the cases.

QUESTIONS FROM THE COMMITTEE

Committee Members asked questions regarding various aspects of the Proposed Text Amendment and Middle Housing Overlay District including clarification regarding the boundary of the Middle Housing Overlay District, its impact on historic properties, the ability to demolish existing housing and replace with middle housing, the provision regarding middle housing in new subdivisions, and the State Legislature's rationale for passing the bill. **Mr. Kuhfuss** provided answers to those questions.

PUBLIC COMMENTS

Beverly Richards asked for clarification as to whether middle housing could be constructed outside of the Overlay District. **Mr. Kuhfuss** provided clarification.

Village Planning Committee Meeting Summary
Z-TA-1-25-Y
INFORMATION ONLY

Date of VPC Meeting	September 2, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Agenda Item 6 (Z-TA-1-25-Y) and Agenda Item 7 (Z-3-25-4-7-8) are companion cases and were heard together.

No members of the public registered to speak on this item.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of House Bill 2721, noting that the State Legislature required cities with a population of 75,000 or more to adopt these regulations. Mr. Zambrano displayed types of housing that are known as middle housing. Mr. Zambrano shared the definition for middle housing within House Bill 2721. Mr. Zambrano shared where middle housing would be permitted, as required by the State law. Mr. Zambrano then shared State restrictions on implementation and the penalty clause within the State law. Mr. Zambrano summarized what text amendment case Z-TA-1-25-Y and the companion rezoning case Z-3-25-4-7-8 include. Mr. Zambrano then displayed the map for the Middle Housing Overlay District within one mile of downtown, noting that “downtown” includes all properties zoned Downtown Code. Mr. Zambrano shared the airport exclusion area that the State law does not apply to. Mr. Zambrano stated that properties zoned or designated historic are not exempt under the State law but noted that the law does not change existing design review procedures for historic or HP-zoned properties, does not change existing demolition restrictions for eligible historic properties, and does not require the City to allow two-story structures everywhere on a lot. Mr. Zambrano displayed a typical building setback exhibit and stated that middle housing must adhere to the same zoning development standards as a single-family home, including lot coverage, setbacks, height, projections,

building design, and parking. Mr. Zambrano displayed graphics of different types of middle housing. Mr. Zambrano shared that the State did not require the City to allow subdivision of lots developed with middle housing and noted that the City is not proposing to allow more lots nor smaller lots than is currently permitted by existing property entitlements. Mr. Zambrano discussed the additional subdivision opt-in provision included in the text amendment for new subdivisions of 10 contiguous acres or more to apply the MH Overlay District to 20 percent of the lots within the subdivision without public hearing, as required by the State law. Mr. Zambrano concluded with the timeline for public meetings and public hearings, additional resources, and key takeaways.

Questions from Committee:

Chair Steven Bowser asked if the provision to apply the MH Overlay District to 20 percent of the lots within a new subdivision of 10 acres or more is citywide. **Mr. Zambrano** responded affirmatively. Chair Bowser stated that all Arizona State Land Department (ASLD) auctioned parcels are over 10 acres, noting that this provision would impact the Desert View Village, unless developers plat subdivisions less than 10 acres at a time. Chair Bowser asked if middle housing is required to be provided. Mr. Zambrano responded that middle housing would have to be allowed on at least 20 percent of the lots within the subdivision to comply with the State law. Mr. Zambrano added that the developer could still choose to not build middle housing on those lots. Mr. Zambrano stated that the developer will tell the City which lots within their subdivision they want to apply the MH Overlay District, and then staff would send a supplementary zoning map to the City Council to adopt. Chair Bowser asked if middle housing could be clustered together within the subdivision. Mr. Zambrano responded affirmatively, noting that there are no restrictions on how the MH-zoned lots have to be dispersed throughout the subdivision. Chair Bowser asked for clarification that the City cannot require fire sprinklers. Mr. Zambrano responded affirmatively. Mr. Zambrano stated that there were recent updates to the Phoenix building code, noting that they were also following this legislation, and the updates to the building code would address any safety concerns.

Vice Chair Louis Lagrave asked if the opt-in provision for new subdivisions of 10 acres or more citywide is optional. **Mr. Zambrano** responded that the State law requires any new subdivision of 10 acres or more to allow middle housing on 20 percent of the lots within the subdivision.

Committee Member Joseph Barto stated that “must allow” does not sound like a mandate. Committee Member Barto stated that it sounds like an allowance. **Mr. Zambrano** responded that it is a requirement of the State law.

Vice Chair Lagrave asked if a developer can opt to not build middle housing within a subdivision. **Mr. Zambrano** responded that the developer can opt to not build middle housing, but the zoning must still allow for it on 20 percent of the lots within the subdivision. Vice Chair Lagrave asked if a new homeowners association (HOA) has to comply with the State law. Mr. Zambrano responded that HOAs can have stricter

restrictions than the City. Mr. Zambrano added that the City does not enforce HOA Covenants, Conditions, and Restrictions (CC&Rs).

Committee Member Richard Carlucci asked why the City did not extend the MH Overlay District around high-capacity transit stops, noting that the data center text amendment referenced the need for higher-density housing around these areas. **Mr. Zambrano** responded that the MH Overlay District is more specific to single-family subdivisions. Mr. Zambrano added that there are adopted transit oriented development (TOD) and transit oriented community (TOC) policy plans that provide guidance for future rezoning requests to rezone to the Walkable Urban (WU) Code within these policy plan areas, which does not have any density limitations. Committee Member Carlucci asked if there was consideration to extend the MH Overlay District to other areas of the city in order to help increase the supply of housing and bring down housing costs. Mr. Zambrano responded that he was not sure since he was not involved in the drafting of this text amendment. Mr. Zambrano stated that the proposed text amendment is trying to comply with the State law requirements. Mr. Zambrano added that the MH Overlay District does apply citywide for 20 percent of the lots in any new subdivision of 10 acres or more. Committee Member Carlucci asked how many single-family lots are within one mile of Downtown Phoenix. Mr. Zambrano responded that he was not sure. Mr. Zambrano stated that there are a lot of single-family lots within the area, including some historic districts. Mr. Zambrano stated that the State law does not override existing historic design review requirements. Committee Member Carlucci stated that the same development standards as a single-family home does not do a lot to provide more housing, noting that much smaller units would have to be squeezed into the building envelope. Mr. Zambrano responded that it would depend on a case-by-case basis. Mr. Zambrano displayed and discussed the typical lot setback exhibit. Committee Member Carlucci stated that the City seems to be doing the bare minimum to comply with the State law, noting that Phoenix is one of the fastest growing cities that needs more housing. Mr. Zambrano responded that the City is working on other efforts to increase housing options, such as the accessory dwelling unit (ADU) text amendment and expanding the WU Code around transit corridors. Mr. Zambrano added that the State legislature is passing legislation simultaneously, so the City has to keep up with the legislation as well.

Vice Chair Lagrave disagreed with Committee Member Carlucci. Vice Chair Lagrave stated that Phoenix is a wide open, western place. Vice Chair Lagrave stated that Phoenix is not New York City, nor Baltimore, nor Chicago. Vice Chair Lagrave stated that Phoenix is a spread-out city with a certain lifestyle. Vice Chair Lagrave stated that he does not want houses crammed into the city that creates a concrete jungle. Vice Chair Lagrave stated that he wants the space to have trees and homes where families can be raised.

Committee Member David Kollar stated that it is a moot point since the State law already passed. Committee Member Kollar asked for clarification that if the text amendment does not get passed by the end of the year, then all City restrictions go away. **Mr. Zambrano** responded affirmatively, noting that the State law included a severe penalty clause that stated if the regulations are not adopted by January 1, 2026,

then middle housing will be allowed on all lots zoned for single-family residential use citywide, without any limitations. Mr. Zambrano added that “without any limitations” could mean without any zoning controls whatsoever.

Chair Bowser asked for clarification that a subdivision of 10 acres or more that applies the MH Overlay District to 20 percent of the lots would not be heard by the Committee. **Mr. Zambrano** responded affirmatively, noting that it would be without any public hearing. Mr. Zambrano stated that staff would send a supplementary zoning map to the City Council to adopt. Mr. Zambrano added that subdivisions in other areas of the city, outside of the areas applicable to the State law, could still request to rezone to the MH Overlay District through the public hearing process.

Committee Member Carlucci asked if the subdivision would have to be of 10 acres or more. **Mr. Zambrano** responded that if it is a request to rezone to the MH Overlay District, it does not have to be of 10 acres or more.

Chair Bowser stated that there are patio homes that were built prior to the 1980s along Scottsdale Road south of McDonald Drive that seem to be a middle housing option. Chair Bowser stated that they are still quite nice and are higher-density and affordable homes. Chair Bowser stated that they could be a great product if done well architecturally. **Mr. Zambrano** responded that part of the text amendment is also amending Section 507 Tab A of the Phoenix Zoning Ordinance to update the Individual Unit Design Standards to also apply to middle housing and require design review of middle housing.

Committee Member Jason Israel asked if ADUs would still be permitted. **Mr. Zambrano** responded affirmatively. Mr. Zambrano stated that the text amendment is also amending sections of the Phoenix Zoning Ordinance so ADUs would only be permitted on a lot with one primary dwelling unit. Committee Member Israel asked where the City is at within the timeline. Mr. Zambrano responded that the cases would be voted on by the Planning Commission in October and the City Council in November.

Committee Member Kollar asked if it is common for the State legislature to play a hand in local zoning regulations. **Mr. Zambrano** responded that it has been more common recently.

Public Comments:

None.

Staff Response:

None.

Committee Discussion:

None.

Village Planning Committee Meeting Summary

Z-TA-1-25-Y INFORMATION ONLY

Date of VPC Meeting	September 8, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item Nos. 3 (Z-TA-1-25-Y) and 4 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

Three members of the public registered to speak on the item, with one in opposition.

STAFF PRESENTATION:

Chris DePerro, with the City of Phoenix Planning Department (PDD), provided a presentation on the City's Middle Housing Text Amendment and accompanying Overlay District. Mr. DePerro stated that the text amendment to the Zoning Ordinance would be reviewed first to provide context which would establish the Middle Housing Overlay District in areas of central Phoenix. Mr. DePerro explained that this initiative stems from House Bill 2721, passed during the 2024 legislative session, which requires all Arizona cities with populations over 75,000 to allow middle housing under certain conditions. Mr. DePerro stated that the Middle Housing, as defined in the legislation, includes duplexes, triplexes, fourplexes, and townhomes, up to a maximum of four units per lot. Mr. DePerro emphasized that the legislation was state-mandated, not locally initiated and outlined several requirements of the bill, including the requirement to allow up to four dwelling units per single-family lot in certain areas of central Phoenix. Mr. DePerro explained that at least 20 percent of the lots in any new subdivision of 10 contiguous acres or more must permit middle housing. Mr. DePerro stated Middle Housing must be treated no more restrictively than single-family housing in terms of permitting, review, and development standards. Mr. DePerro further explained restrictions that the City may not impose, including requirements for fire sprinklers, owner occupancy, or more than one off-street parking space per unit. Mr. DePerro stated the City also may not discourage rental housing or impose regulations more restrictive than those applied to single-family dwellings. Mr. DePerro emphasized that if Phoenix fails to adopt the required regulations by January 1, 2026, middle housing would automatically be allowed

without limitation on all single-family residential lots in the city. Mr. DePerro then described Text Amendment Z-TA-12-5-Y, which revises zoning regulations to comply with state law, and Rezoning Case Z-3-25-4-7-8, which applies the overlay district to the one-mile area surrounding downtown Phoenix as required. Mr. DePerro explained that the overlay district would function in addition to the existing underlying zoning, allowing either the density permitted by zoning or four units, whichever is greater. Mr. DePerro's presentation included maps outlining the overlay district boundary, which follows a one-mile radius around the designated downtown core. Mr. DePerro said the Federal aviation noise contours exclude certain areas from the overlay due to restrictions on residential density near the airport. Mr. DePerro clarified that historic preservation regulations remain unchanged, including demolition restrictions and review procedures for historic properties. Mr. DePerro also noted that recent code updates extended the review stay for eligible properties from 30 days to 60 days. Mr. DePerro provided development examples on typical R1-6 lots, including setbacks, building envelopes, and limitations on lot coverage. Visual examples of duplex and fourplex designs were shown to illustrate how middle housing could be integrated within existing neighborhoods. Mr. DePerro stressed that the proposal does not permit subdivision of lots beyond existing entitlements, nor does it allow more units than authorized by law. Mr. DePerro provided an example demonstrating how 20 percent of lots would be designated for middle housing and mapped with the overlay district. Mr. DePerro emphasized that subdivision design could accommodate varied lot sizes or locations for middle housing. Mr. DePerro reviewed the proposed timeline for Planning Commission for information in September and recommendation was scheduled for October 6. Mr. DePerro stated the City Council will consider action on November 5, 2025. Mr. DePerro provided a summary and noted the middle housing requirement is state-mandated, must be applied within one mile of downtown and to 20 percent of new subdivisions over 10 acres and the City faces the risk of losing zoning controls entirely if regulations are not adopted by the state deadline.

Mr. DePerro directed attendees to additional resources at phoenix.gov/middlehousing

QUESTIONS FROM THE COMMITTEE:

Committee Member Warnicke asked if the driving force behind the legislation was the historical shift away from middle housing. **Mr. DePerro** responded that while he did not want to speak directly to the legislature's intent, many consultants and proponents suggest that the law is a way to increase density in areas where it has become difficult. Mr. DePerro acknowledged that there are broader policy discussions surrounding the issue, but he could not say with certainty why the legislature chose this approach.

Committee Member Warnicke stated that historically there had been middle housing, but that it is no longer permitted, and noted that multifamily housing is not currently allowed in single-family residential zoning. Mr. DePerro responded that multifamily housing is not permitted in single-family zoning districts. Committee Member Warnicke asked when multifamily development is allowed. Mr. DePerro responded that multifamily zoning is typically applied through separate zoning designations and is defined as a lot that allows more than one primary unit. Committee Member Warnicke stated that this

would include duplexes and apartments. Committee Member Warnicke noted that the state requires the provisions to apply within one mile of the Central Business District, but the definition of that area varies. Mr. DePerro responded that neighborhoods such as Willo, La Hacienda, and Alvarado, while zoned R1-6 or R1-10, technically allow duplexes under certain lot conditions, which makes them multifamily zones. Mr. DePerro stated that those districts only allow duplexes on larger lots and that this provision does not actually increase density. Committee Member Warnicke confirmed that duplexes are still permitted under those designations and suggested that they could therefore be considered multifamily zoning. Mr. DePerro responded and noted that point but explained that the state law requires the city to apply the middle housing provisions to lots zoned for single-family uses which includes the areas in question. Committee Member Warnicke expressed frustration, stating that these lots already allow multifamily development and that applying the law in this manner threatens historic neighborhoods and noted that historic designation can be lost if more than 50 percent of contributing homes are removed. Committee Member Warnicke said that the overlay boundary appeared to cut into La Hacienda while avoiding his own property. Mr. DePerro stated that the city's text amendment is intended to comply with state law, regardless of whether the legislature considered impacts on historic neighborhoods. Committee Member Warnicke stated that the state law only applies to single-family residential properties, and reiterated his position that some of these areas should be classified as multifamily. Mr. DePerro stated that he and Mr. Warnicke appeared to disagree on that interpretation. Committee Member Warnicke asked about the 20 percent multifamily requirement for subdivisions. Mr. DePerro responded that the requirement applies only to new subdivisions of 10 acres or more, typically in areas such as north Phoenix, and not to existing neighborhoods. Committee Member Warnicke asked if this meant there was no 20 percent cap on middle housing in neighborhoods like Willo. Mr. DePerro responded that there is no such cap and that, if the overlay were approved, any eligible lot within Willo could potentially develop as middle housing, including fourplexes. Committee Member Warnicke concluded by stating that this would allow widespread redevelopment in historic areas. Mr. DePerro agreed that this was correct under the proposed application of the state law.

Committee Member Procaccini asked what would happen if the City chose to reduce the size of the Central Business District, noting that it might be considered beneficial in some cases to shrink the designated downtown area. Mr. DePerro responded that there are two potential issues with that approach first, the state law specifies that the applicable Central Business District boundaries are those that were designated as of September 14, 2024 and no changes can be made at this point. Mr. DePerro stated second, the law also contains a provision prohibiting cumulative or individual actions by municipalities that interfere with housing development. Mr. DePerro said that if city were to attempt to shrink the boundaries, it could be considered noncompliant under that provision and that the September 14, 2024 designation date is the controlling factor.

Committee Member Wagner stated that under normal procedure, text amendments are presented to Village Planning Committees for information only, followed by at least a month to review and provide input and in this case, however, the process was not being followed. Committee Member Wagner said that the proposed text amendment is

178 pages long and was only received by the committee a few days prior to the meeting, which made it very difficult for members to adequately review the information and further expressed that the amendment would greatly benefit from committee input and questioned why the committee was not being given that opportunity.

Joshua Bednarek, PDD Director, responded that it was a valid concern and explained that the planning staff were attending all Village Planning Committee meetings this month to provide information and ensure that word about the new law was reaching the community. Mr. Bednarek stated that the language presented in the amendment reflects the minimum requirements of state law, leaving little room for adjustment and the City's priority is compliance with the law and meeting the statutory deadline requiring City Council action later this year. Mr. Bednarek expressed that while staff values feedback, the purpose of these presentations are primarily informational and offered to provide his contact information to any committee members or members of the public who wished to ask further questions. Committee Member Wagner stated that while she appreciated the explanation, she remained concerned. Committee Member Wagner shared the concern that neighborhoods had been in contact with other cities, which were approaching the legislation differently and actively working to mitigate its impacts. Committee Member Wagner emphasized that the City of Phoenix was not necessarily taking the bare minimum approach, and that this issue warranted more public discussion with Village Planning Committees. Committee Member Wagner also questioned the stated deadline, noting that City staff had known about the legislation since February 2024, according to emails. Committee Member Wagner said this with the accessory dwelling unit legislation, which passed in May and had to be implemented by January 2025 and in the case of the middle housing bill, she said, cities were given an additional year to act. Committee Member Wagner expressed frustration that the committee was being told there was no more time to review the amendment, despite Phoenix having had significantly more time to prepare.

Committee Member Kleinman asked for clarification regarding the timeline of the legislation and stated his understanding that the State of Arizona passed the bill during the 2024 legislative session, with an effective date of January 1, 2026. Committee Member Kleinman noted that cities are required to adopt local regulations by that same date and asked whether the City of Phoenix had the authority to extend or delay the effective date, or whether it must begin enforcement on January 1, 2026. Committee Member Kleinman explained that his concern was twofold if the state legislature amends the law during the upcoming session, it would be problematic for the city to take action prematurely and then be unable to undo its decisions. Committee Member Kleinman suggested that, at a minimum, the city should consider delaying implementation until any potential state-level amendments are resolved. Mr. Bednarek responded that the idea of delaying the effective date had been suggested and was referred to the City's Law Department and the initial response was that the law is clear in requiring implementation on January 1, 2026. Mr. Bednarek noted that delaying implementation could put the city at risk of being found noncompliant and added that the matter could be further discussed with the Law Department and potentially with the City Council.

Committee Member Rodriguez stated that she supports the house bill overall but

expressed disappointment that it did not extend further and explained that her home, built in 1932, was located just outside of the overlay area. Committee Member Rodriguez stated that she would like the opportunity to redevelop her property into housing that contributes to the city's future, which she considered part of building a better history. Committee Member Rodriguez noted that her neighborhood lacks the tax incentives, gated communities, safe bike lanes, and other infrastructure present in other areas, while still experiencing challenges such as cut-through traffic from the reverse lanes, she stated that the bill does not go far enough and encouraged the city to be bolder in extending its provisions. Committee Member Rodriguez added that other cities, such as Portland, have implemented similar policies without significant impacts from demolitions, and she offered to share those examples with the committee.

Committee Member Wagner stated that the city was aware of legislation introduced in the prior session seeking to exempt historic districts and emphasized that while she supports rental housing, she also values maintaining historic districts, which have been carefully preserved for decades. Committee Member Wagner noted that another attempt to exempt historic districts may be made in the upcoming legislative session and stated there is concern that the current 178-page text amendment appeared to be a rewrite of the Zoning Ordinance, rather than a simple overlay as previously described. Committee Member Wagner questioned why the committee had not been told earlier that such extensive changes would be included and asked why multifamily provisions were being revised when the legislation was directed at single-family zoning. **Mr. DePerro** responded that he had described the amendment as involving extensive revisions in several prior presentations and that this approach was taken out of caution due to the statutory requirement that single-family and middle housing be treated identically. Mr. DePerro stated in many parts of the Zoning Ordinance, the two are treated differently, with middle housing subject to more restrictive provisions therefore, significant revisions were necessary to bring them into alignment. Mr. DePerro clarified the mechanism for implementation and stated that the text amendment itself does not grant entitlements but the following agenda item the zoning case would apply the Middle Housing Overlay (MH) to properties. Mr. DePerro stated the text amendment establishes the framework and creates the overlay district, but actual entitlement would only occur through a rezoning action and noted that the opt-in provision for 10-acre subdivisions functions similarly, requiring a property owner to request the overlay before it is applied. Committee Member Wagner responded that her neighborhood had held several meetings with the PDD and had repeatedly asked for a seat at the table during the drafting of the amendment. Committee Member Wagner expressed frustration that those requests were not accommodated and that the committee was now being asked to consider the amendment at the last minute without sufficient time for review.

PUBLIC COMMENTS:

Mr. Will Kerwin introduced himself as a resident on Willetta Street stated that he lives in a duplex where two different houses are located on the same lot and considered a plan to rent out the back unit once it became unoccupied, and asked if that would still be possible under the proposed ordinance. **Mr. DePerro** responded that, without knowing the exact circumstances, nothing being proposed should change an existing entitlement

and confirmed that if the second residence is currently legal, then the entitlement remains. Mr. DePerro invited Mr. Kerwin to send him specific details by email so staff could research the property's history and provide a clear response and emphasized that the ordinance was intended to add entitlement for additional units, not take away existing rights. Mr. Kerwin shared a neighborhood concern regarding an individual who built a multi-story structure, which appeared to have been left unfinished and that residents suspected the intent was to drive up property taxes to force buyouts, though he acknowledged this may not be true. Mr. DePerro replied that if the structure was built without permits, that would be a code enforcement issue and asked for clarification about whether the construction was permitted. Mr. Kerwin clarified that he was raising the example hypothetically and asked whether, under the ordinance, someone could legally construct a multi-story building for speculative purposes. Mr. DePerro explained that the ordinance did not increase allowable building height, setbacks, or envelope limits and the intention of the changes only addressed the number of units allowed on a lot. Mr. DePerro stated that the ordinance would not permit a five-story building in a single-family neighborhood, since the existing height and setback limits would still apply. Mr. Kerwin acknowledged the clarification but asked whether there was a way to mitigate the impact of increased property taxes on neighbors. Mr. DePerro responded that property taxes are difficult to predict and stated that values can both rise and fall, referencing the Great Recession when values plummeted. Mr. DePerro stated that the ordinance had been crafted with a focus on zoning and entitlements, and broader economic impacts such as property taxation had not been a primary consideration.

Mr. Mike Mark introduced himself as a resident on Holly Street and stated that he had several questions and asked whether the city currently knew how many lots would be impacted by the ordinance, noting that there are empty lots that could be targeted. Mr. Mark added that estimating the number of eligible lots would be helpful, since it was likely that developers would begin to purchase such properties to take advantage of the new entitlements. Mr. DePerro responded that the estimate was on a graphic he had previously shared, but he did not have it readily available at the meeting and apologized and stated that he could provide the figure later. Mr. DePerro confirmed that the calculation was included in staff's analysis and agreed that vacant lots zoned appropriately would be among the first likely to be impacted. Mr. Mark asserted that this suggested a likely targeting of properties for redevelopment and asked whether the city's Middle Housing website included real-life examples of duplexes, triplexes, or fourplexes on single-family lots. **Mr. DePerro** responded that the photos shown in the presentation were real examples from Phoenix and had been used to illustrate what the ordinance would proceed. Mr. Mark confirmed that the images were taken from within Phoenix, including areas near a neighborhood dog park in the area of 3rd Avenue and Culver Street, but emphasized his concern that the ordinance appeared punitive toward historic properties. Mr. Mark expressed that the proposal seemed almost surgically targeted to impact historic neighborhoods in particular and added that he wished the policy could instead be mirrored so that his neighborhood would be affected rather than historic districts, which he believed should be spared from such negative impacts.

Joan Gresch stated she is a longtime resident of the area since 1977 and had concerns for the committee regarding historic preservation and the impact of recent

state laws. Ms. Gresch shared her personal experience restoring a historic home from the 1920s in downtown Phoenix with her husband while earning less than \$20,000 per year at the time. Ms. Gresch stated that the Historic Preservation program provided tax incentives and guidelines that allowed them and others to rehabilitate historic properties appropriately, contributing to the revitalization of the neighborhood. Ms. Gresch expressed concern that recent state interventions have undermined these protections and threatened the progress made over decades. Ms. Gresch urged the city to support residents if legal action arises, emphasizing the emotional and financial investment her family has made in preserving the historic character of their home and neighborhood. Mr. DePerro responded that the current law, while allowing up to four units on a property, does not remove existing historic preservation protections and stated that the design review processes and other safeguards under both state law and city plans would remain in place. Ms. Gresch acknowledged this clarification but emphasized that the broader context and discussion about preserving historic districts remain critical.

FLOOR/PUBLIC DISCUSSION CLOSED, COMMITTEE DISCUSSION:

Committee Member Procaccini asked whether the city's website allowed residents to type in their address to determine if their property fell within the proposed middle housing overlay area, noting that he lived near the boundary and was unable to tell. **Mr. DePerro** responded that the website did provide that function and that members of the public could also email him directly with an address and he would confirm the information, often faster than the online tool.

Committee Member Wagner asked how many square miles were included in the middle housing overlay area shown on the map. **Mr. DePerro** responded that he did not have the exact figure memorized but estimated that the area covered between five and six square miles in and around downtown. Mr. DePerro noted that this represented a small portion of Phoenix overall, which spans approximately 520 square miles. Committee Member Wagner said that, while the overlay represented only five to six square miles, it was still a significant area when viewed in comparison to the entire city.

Committee Member Kleinman expressed concern about the impact of increasing housing in historic neighborhoods and asked whether the city could mandate that new housing developments, specifically those referenced in the middle of the presentation on page 92, be designated as workforce or affordable housing. Committee Member Kleinman emphasized the need to prevent historic homes from being replaced by high-cost fourplexes potentially used for short-term rentals, such as Airbnb. Committee Member Kleinman asked if there were any mechanisms to limit high-cost townhouses and short-term rentals in these historic areas. Mr. DePerro responded that both short-term rentals and affordable housing requirements are largely restricted by state law. Mr. DePerro explained that the city has minimal control over short-term rentals and cannot require affordable housing in zoning cases or stipulations and stated that while the city can incentivize affordable housing, it cannot mandate it and that the city is exploring other potential approaches to mitigate community concerns while remaining compliant with state law, although no solutions had been finalized. Mr. DePerro emphasized that the city is listening to feedback and seeking ways to balance middle housing

requirements with the preservation of historic districts.

Committee Member Wagner stated that, in line with Committee Member Kleinman's concerns about workforce housing, a neighboring property near the dog park as formerly mentioned recently sold for \$2.6 million. Committee Member Wagner noted that this example indicates the development is unlikely to provide affordable housing.

Committee Member Perez asked whether any language incentivizing affordable or workforce housing had been considered in the text amendment and asked if such measures could be incorporated as a potential avenue for encouraging these types of housing. Mr. DePerro responded that while such incentives could potentially be considered, they had not been included in the current text amendment and stated that the language as written represents the minimum required to comply with state law. Mr. DePerro acknowledged the concerns about providing additional incentives or protections but emphasized that state law does not require these provisions, and their absence is consistent with legal compliance.

Committee Member Kleinman expressed frustration with the city's limited flexibility under state law and recalled past experiences in which the city initially faced restrictions but eventually implemented changes, noting that simply complying with state law does not preclude the city from exploring measures that could benefit Phoenix. Committee Member Kleinman stressed that fear of potential lawsuits should not prevent proactive efforts to improve outcomes for the city and its residents. **Mr. Bednarek** responded noting that any action outside the boundaries of state law could trigger complaints to the Attorney General under State Statute 1487, potentially putting \$850 million in state funding at risk. Mr. Bednarek clarified that such disputes do not automatically go to court and follow a 30-day process. Committee Member Kleinman stated that the city has previously navigated conflicts with state law in other contexts, such as fair wages, and argued that avoiding any attempt to push the envelope in this case seems overly cautious. Committee Member Kleinman emphasized that his comments were meant as an opinion and not a directive, expressing his perspective that the city could explore creative approaches without undue risk. Mr. Bednarek responded stating that he took no offense to the comments and appreciated the perspective.

Committee Member Rodriguez shared her perspective on affordable housing and the overall benefits of increasing housing stock and invited fellow committee members and staff to collaborate on initiatives aimed at promoting affordable housing. Committee Member Rodriguez emphasized that increasing housing availability can make housing more accessible in general and stated differing viewpoints on historic preservation but expressed the belief that denser, thoughtfully designed housing can contribute positively to the community's history. Committee Member Rodriguez also highlighted that parts of Phoenix, including this area, benefit from some of the city's most successful public transportation systems and bike lanes and suggested that adding new housing, regardless of affordability designation, could help reduce overall housing costs by increasing supply. Committee Member Rodriguez stated it is important to encourage broader collaboration and engagement from committee members on housing issues.

Committee Member Warnicke commented on the public comments and expressed appreciation for the eloquence of the previous speaker and said she is absolutely right in what we are facing is an existential threat to our historic neighborhoods. Committee Member Warnicke stated the idea of launching 5,000 homes into these areas is alarming and has asked the city how many historic homes are at risk, and still had not received an answer. Committee Member Warnicke stated if we estimate 5,000 homes and allow fourplexes on each, that's 20,000 residences replacing 5,000 single-family homes. Committee Member Warnicke stated that in the past year alone, over 20,000 apartments have come online, and there's another 20,000 expected next year and there is already a glut. Committee Member Warnicke stated this attack on historic neighborhoods is not only unnecessary it is absurd and will not achieve its intended goals. Committee Member Warnicke stated these lots will be subdivided or made available for affordable purchase and they will be expensive, likely short-term rentals like Airbnbs and this is very upsetting. Committee Member Warnicke stated there will be a lawsuit but not against the state and the state can pass these laws, but the city is not obligated to adopt a text amendment that implements them in this way. Committee Member Warnicke stated there is a legal argument for exempting R1-6 and R1-10 zones, especially those with homes subdivided before 1998 or 1999 and these areas are already entitled to duplexes because our historic neighborhoods are already denser than many of the true single-family neighborhoods in Phoenix that do not allow duplexes. Committee Warnicke stated his office is in a home that was converted from a duplex which are scattered throughout the Willo Neighborhood. Committee Member Warnicke stated the city does not have to do this it is choosing to and that is why there is going to be a fight with the city. Committee Member Warnicke stated he should not have to fight both the state and the city, but that's the position we have been put in which is ridiculous. Committee Member Warnicke stated we have invested hundreds of thousands, maybe millions in historic preservation grants and encouraged families, like the one who restored two old homes, to take advantage of tax benefits and reinvest in their properties. Committee Member Warnicke stated this was in the 1980s and he remember walking up 5th Avenue to Kenilworth School. Committee Member Warnicke stated back then, homes had planks over the stairs and people were rolling motorcycles into their living rooms and that is what the neighborhood was like before it became the Willo Neighborhood. Committee Member Warnicke stated we saved that neighborhood and saved others which helped create the city that people now want to walk through and now they want to tear it all down and build fourplexes. Committee Member Warnicke stated he could not be more livid, and he is going to do everything he can to stop it.

Chair Montaña Searles reminded everyone that the item under discussion is part of the timeline presented earlier in the meeting and explained that the matter went to the Planning Commission for information only on September 4 and it is scheduled for the Planning Commission with a recommendation on October 6, and then it will go before City Council on November 5. Chair Montaña Searles encouraged attendees to visit the city's website and navigate to the public meetings section under the City Clerk's page for more information and also welcomed continued public participation, noting that if individuals want to make their voices heard, that is the place to do so and thanked everyone for their comments and reiterated that today's item was for information only.

Village Planning Committee Meeting Summary

Z-TA-1-25-Y INFORMATION ONLY

Date of VPC Meeting September 16, 2025

Proposal Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item No. 5 (Z-TA-1-25-Y) and Item No. 6 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, began the presentation by providing background information on House Bill 2721 that required the City of Phoenix to allow middle housing. Ms. Sanchez Luna displayed examples of middle housing such as duplexes, triplexes, fourplexes, and townhomes. Ms. Sanchez Luna noted that middle housing must be compatible in scale, form, and character with single-family houses. Ms. Sanchez Luna summarized the middle housing requirements for the City. Ms. Sanchez Luna noted the severe penalty clause that stated that if a municipality does not adopt regulations by January 1, 2026, then middle housing shall be allowed without any zoning controls or restrictions. Ms. Sanchez Luna added that properties designated historic are not exempt under the state law and provided an example where middle housing may or may not fit. Ms. Sanchez Luna concluded the presentation by displaying the proposed hearing timeline and contact information for comments.

Questions from the Committee:

Kristine Morris asked for clarification regarding new subdivisions and homeowner associations. **Ms. Sanchez Luna** noted that homeowner associations can add restrictions to prohibit middle housing.

Dustin Thrower stated that the homeowner associations would not exist until the entire subdivision was established. **Ms. Sanchez Luna** added that if the developer built a single-family house on an established middle housing lot, then the owner would have to circumvent the regulations established by the homeowner's association. **Mr. Thrower** voiced his confusion on how homeowner associations can prohibit middle housing. **Ms. Morris** added that someone who purchases a home with a homeowner association is typically buying into more restrictions.

Chair Parris Wallace noted that this type of development will not be required to come to the committee for recommendation.

Romona Burris asked if this was just another strategy to increase housing within the City on top of already establish policy like the Housing Phoenix Plan. **Chair Wallace** confirmed.

Ms. Sanchez Luna added that if anyone had any additional questions, they could contact her or send an email to the email address provided.

Ms. Burris voiced concern about how this would affect neighborhoods such as Coronado and if residents would lose their properties. **Ms. Sanchez Luna** added that if someone owned their property, it was their decision if they wanted to convert their lot to allow middle housing. Ms. Sanchez Luna noted that they would still have to meet all the development standards and if the property is historic, then it would have to go through the Historic Preservation Office first.

Marcus Cenicerros asked if this would only apply to one mile from downtown. **Ms. Sanchez Luna** confirmed. Ms. Sanchez Luna added that the only way this would occur in Estrella was if there were any new subdivisions of 10 acres or more and if an applicant rezoned their property to add the overlay district.

Chair Wallace noted that a lot of housing projects have been approved and asked what would happen to those projects. **Mr. Thrower** added that it would depend on the acreage. **Chair Wallace** noted an approved housing project with a lazy river. **Ms. Sanchez Luna** noted that that proposal was for multifamily residential.

Ms. Burris asked if historic neighborhoods are in danger. **Ms. Sanchez Luna** noted that they had voiced some concerns. **Ms. Burris** stated that this type of housing was bound to happen. **Ms. Sanchez Luna** stated that proposed middle housing projects had to be compatible with the existing single-family neighborhood. Ms. Sanchez Luna added that middle housing could be one two-story house with one family on the first floor and one family on the second floor. **Chair Wallace** voiced her excitement and approval and noted that Estrella would like to see more housing.

Village Planning Committee Meeting Summary

Z-TA-1-25-Y INFORMATION ONLY

Date of VPC Meeting
Proposal

September 8, 2025

Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item No. 5 (Z-TA-1-25-Y) and Item No. 6 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, began the presentation by providing background information on House Bill 2721 that required the City of Phoenix to allow middle housing. Ms. Sanchez Luna displayed examples of middle housing such as duplexes, triplexes, fourplexes, and townhomes. Ms. Sanchez Luna noted that middle housing must be compatible in scale, form, and character with single-family houses. Ms. Sanchez Luna summarized the middle housing requirements for the City. Ms. Sanchez Luna noted the severe penalty clause that stated that if a municipality does not adopt regulations by January 1, 2026, then middle housing shall be allowed without any zoning controls or restrictions. Ms. Sanchez Luna added that properties designated historic are not exempt under the state law and provided an example where middle housing may or may not fit. Ms. Sanchez Luna concluded the presentation by displaying the proposed hearing timeline and contact information for comments.

Questions from the Committee:

Carlos Ortega asked if all the other major cities were affected by the bill. **Ms. Sanchez Luna** confirmed. Ms. Sanchez Luna noted that she was unaware of the exact regulations that other cities will be implementing.

Vice Chair JoAnne Jensen asked if the text amendment would eventually expand

beyond the one-mile radius around downtown. **Ms. Sanchez Luna** stated that if a proposed development wanted to provide the ability for middle housing, then they would have to rezone the site to add the overlay.

Linda Abegg asked for more information regarding the boundary and asked if that was implemented by the House Bill or the city. **Ms. Sanchez Luna** stated that the House Bill stated that it had to apply within one mile of downtown and that the City determined that Phoenix's downtown was the area zoned Downtown Code. **Ms. Abegg** asked for more information regarding parking. Ms. Abegg is asked if a fourplex was built, would the development be required to have eight parking spaces. **Ms. Sanchez Luna** note that she would have to confirm. **Ms. Abegg** stated that her concern was private streets and subdivisions that prohibit on-street parking. Ms. Abegg asked if HOA's are exempt. **Ms. Sanchez Luna** noted that HOA's can prohibit middle housing but would confirm.

Co-Vice Chair Jensen stated that this was accessory dwelling units on steroids. **Mixen Rubio-Raffin** added that this would mean separate addresses and utilities.

Ms. Rubio Raffin was surprised that this came from the State Legislature but hoped that this would allow more individuals to buy their own homes.

Ms. Abegg understood the frustration of the residents that this would affect and wondered how this would relate to Proposition 207.

Chair Stephanie Hurd noted that it would change the neighborhood.

Ms. Abegg asked how staff would track on-street parking. **Ms. Sanchez Luna** noted that she would have to follow up regarding the parking inquiry.

Juanita Darby noted that she used to live in a duplex, and she still had her own driveway and backyard.

Chair Hurd added that some diversity would be good, but that the Laveen character called for large-lot single-family homes. **Ms. Darby** noted an existing subdivision with large lots in Laveen.

Vice Chair JoAnne Jensen stated that the city has been built with primarily single-family neighborhoods and noted that that this type of development would be more appropriate in lots built to accommodate middle housing.

Ms. Rubio-Raffin added that businesses in high-density neighborhoods are more successful than those in rural areas and could create a higher demand for street enhancements and pedestrian amenities.

Village Planning Committee Meeting Summary
Z-TA-1-25-Y
INFORMATION ONLY

Date of VPC Meeting	September 10, 2025
Proposal	Amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item No. 3 (Z-TA-1-25-Y) and Item No. 4 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

Committee Members Melissa Acevedo and Victoria Stahl entered during these items bringing quorum to 12.

Staff Presentation:

Nayeli Sanchez Luna, staff, began the presentation by providing background information on House Bill 2721 that required the City of Phoenix to allow middle housing. Ms. Sanchez Luna displayed examples of middle housing such as duplexes, triplexes, fourplexes, and townhomes. Ms. Sanchez Luna noted that middle housing must be compatible in scale, form, and character with single-family houses. Ms. Sanchez Luna summarized the middle housing requirements for the City. Ms. Sanchez Luna noted the severe penalty clause that stated that if a municipality does not adopt regulations by January 1, 2026, then middle housing shall be allowed without any zoning controls or restrictions. Ms. Sanchez Luna added that properties designated historic are not exempt under the state law and provided an example where middle housing may or may not fit. Ms. Sanchez Luna concluded the presentation by displaying the proposed hearing timeline and contact information for comments.

Questions from the Committee:

Warren Norgaard asked if the overlay district would apply to the downtown area. **Ms. Sanchez Luna** displayed the map and noted that it would apply to the pink area around downtown.

Saundra Cole voiced her concern for the historic neighborhoods and added that she did not want these areas to be negatively affected. **Ms. Sanchez Luna** noted that all historic neighborhoods would still be subject to review by the Historic Preservation Office. Ms. Sanchez Luna added that if the City did not add any parameters, then middle housing would be allowed without any limitations or development standards.

Chair Gene Derie stated that if someone requested to demolish a historic house, they would have to petition the Historic Preservation Office for approval and to remove the historic structure. **Ms. Sanchez Luna** added that the Historic Preservation Office does review any properties that are either designated or eligible for historic designation.

Chair Derie announced that this presentation was for information only and that the committee would not be voting on either the rezoning case or the text amendment. **Vice Chair Chris Demarest** asked if the companion cases would return to the Village Planning Committee (VPC) for a recommendation in the upcoming months. **Ms. Sanchez Luna** clarified that both cases will not return to the VPC and displayed the proposed timeline noting the dates for the Planning Commission hearing and the City Council hearing.

Vice Chair Demarest noted that it was odd that the House Bill would require middle housing one mile from downtown if that is where many of the historic houses are located. **Chair Derie** added that all municipalities with a population of 75,000 or higher would be required to allow middle housing. Chair Derie added that cities such as Scottsdale, Mesa, Tempe, and Chandler are all required to permit middle housing. **Vice Chair Demarest** stated that all those cities had historic houses within one mile of their designated downtown and that he would have liked to have a vote on the companion cases.

Andrea Ramirez asked if the Villages that were directly affected would be allowed to vote on the companion cases. **Ms. Sanchez Luna** noted that they would not be voting.

Mike Weber asked who established the parameters. **Ms. Sanchez Luna** noted that the House Bill established the one-mile radius. **Mr. Weber** clarified that he would like to know the development standards for middle housing. **Ms. Sanchez Luna** displayed the single-family lot example and noted that middle housing would still be required to meet all required development standards such as lot coverage, building setbacks, and projections. **Mr. Weber** asked about height. **Ms. Sanchez Luna** added that in a single-family zoned lot, the maximum height is two stories or 30 feet and that any middle housing development in a single-family lot would be permitted to be as tall as two stories or 30 feet.

Vice Chair Demarest stated that most neighborhoods within the one-mile buffer did not have an established homeowner's association.

Alvin Battle asked what was considered downtown. **Ms. Sanchez Luna** displayed the map and noted the grey area that was zoned Downtown Code. **Chair Derie** provided the street boundaries for downtown and the one-mile buffer.

Ken DuBose asked what each case would accomplish. **Ms. Sanchez Luna** stated that the text amendment case Z-TA-1-25-Y would modify the Zoning Ordinance to allow the development standards for middle housing and the rezoning case Z-3-25-4-7-8 established the overlay district.

Ms. Ramirez asked if a developer could convert a lot of commercial properties to middle housing. **Ms. Sanchez Luna** clarified that the only way it would apply to Maryvale was if there were any new subdivisions of 10 contiguous acres or more built or if a property was rezoned.

Public Comment:

None

Committee Discussion:

Mr. Weber voiced his displeasure for all the palm trees in the pictures. **Chair Derie** and **Mr. Weber** noted that palm trees provide no shade and require a lot of water.



Village Planning Committee Meeting Summary

Z-TA-1-25-Y

INFORMATION ONLY

Date of VPC Meeting	September 11, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Agenda Item 8 (Z-TA-1-25-Y) and Agenda Item 9 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of House Bill 2721, noting that the State Legislature required cities with a population of 75,000 or more to adopt these regulations. Mr. Zambrano displayed types of housing that are known as middle housing. Mr. Zambrano shared the definition for middle housing within House Bill 2721. Mr. Zambrano shared where middle housing would be permitted, as required by the State law. Mr. Zambrano then shared State restrictions on implementation and the penalty clause within the State law. Mr. Zambrano summarized what text amendment case Z-TA-1-25-Y and the companion rezoning case Z-3-25-4-7-8 include. Mr. Zambrano then displayed the map for the Middle Housing Overlay District within one mile of downtown, noting that "downtown" includes all properties zoned Downtown Code. Mr. Zambrano shared the airport exclusion area that the State law does not apply to. Mr. Zambrano stated that properties zoned or designated historic are not exempt under the State law but noted that the law does not change existing design review procedures for historic or HP-zoned properties, does not change existing demolition restrictions for eligible historic properties, and does not require the City to allow two-story structures everywhere on a lot. Mr. Zambrano displayed a typical building setback exhibit and stated that middle housing must adhere to the same zoning development standards as a single-family home, including lot coverage,

setbacks, height, projections, building design, and parking. Mr. Zambrano noted that the text amendment includes revisions so accessory dwelling units (ADUs) are only permitted on a lot with one primary dwelling unit. Mr. Zambrano displayed graphics of different types of middle housing. Mr. Zambrano shared that the State did not require the City to allow subdivision of lots developed with middle housing and noted that the City is not proposing to allow more lots nor smaller lots than is currently permitted by existing property entitlements. Mr. Zambrano discussed the additional subdivision opt-in provision included in the text amendment for new subdivisions of 10 contiguous acres or more to apply the MH Overlay District to 20 percent of the lots within the subdivision without public hearing, as required by the State law. Mr. Zambrano concluded with the timeline for public meetings and public hearings, additional resources, and key takeaways.

Questions from Committee:

Committee Member Kylie Kennelly asked why the State legislature restricted requiring fire sprinklers. **Mr. Zambrano** responded that it is probably more of an expensive requirement that multifamily residential development typically triggers. Mr. Zambrano added that the Phoenix building code has recently been updated and was following this legislation. Mr. Zambrano stated that the walls between units would still be required to be fire-rated.

Committee Member Will Manion asked if the opt-in provision for new subdivisions of 10 acres or more has to be 20 percent of the lots within the subdivision or if it could be less than 20 percent. **Mr. Zambrano** responded that it has to be 20 percent.

Chair Julie Read stated that there is a big concern with the historic districts surrounding Downtown Phoenix and the threat this legislation has to historic homes. Chair Read stated that there is a historic preservation group that will be trying to get the State legislature to address this in the next legislative session. Chair Read suggested that individuals reach out to their respective representative if this topic is important to them.

Mr. Zambrano added that the State bill does not change existing design review requirements for historic properties or demolition restrictions for eligible historic properties.

Public Comments:

None.

Staff Response:

None.

Committee Discussion:

None.

Village Planning Committee Meeting Summary

Z-TA-1-25-Y INFORMATION ONLY

Date of VPC Meeting	September 17, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item No. 4 (Z-TA-1-25-Y) and Item No. 5 (Z-3-25-4-7-8) are companion cases and were heard together.

Committee Member Fred Hepperle joined the meeting during this item bringing the quorum to 9 members present.

STAFF PRESENTATION

Robert Kuhfuss, staff, provided a presentation summarizing the proposed text amendment and rezoning case, highlighting the background regarding state legislation, details of the proposed zoning text to revise regulations and create the Middle Housing Overlay District, the boundary of the proposed overlay, and a summary of the timeline for the cases.

QUESTIONS FROM THE COMMITTEE

Committee Member Bill Adams asked what the Legislature's rationale was for passing the bill. **Mr. Kuhfuss** stated that he did not want to speak for the State Legislature but for the last several years, the Legislature has been trying to address the housing affordability issue. Mr. Kuhfuss stated that in 2024, the State Legislature passed another bill which required municipalities to adopt regulations relating to Accessory Dwelling Units by January of 2025 and that the Middle Housing Bill required adoption by January of 2026.

Committee Member Jim Larson asked if the law applies to currently vacant lots or when a property becomes available on the market allowing the owner to then demolish the property and construct a four-plex on the property. **Mr. Kuhfuss** asked if

the question was directed towards properties located within the pink polygon. Committee Member Larson confirmed that was the case. Mr. Kuhfuss stated that it was his understanding that a property owner could demolish the site and construct a four-plex and that there is no provision that requires it be owner-occupied. Committee Member Larson stated that it was his understanding that the effect of the bill was to render Historic Preservation areas null and void to allow a developer to demolish a house to build a four-plex. Mr. Kuhfuss stated that he was not 100% familiar with the nuances of Historic Preservation and that it was his understanding that certain protections remain in place for properties that lie within a historic neighborhood including a waiting period prior to demolition, and a requirement that the new building fit the neighborhood.

Committee Member Matthew Knapp asked if on new subdivisions is the developer required to construct middle housing on the 10% of lots that were earmarked as such. **Mr. Kuhfuss** stated that the threshold was 20% not 10% and that the law requires the lots to be earmarked but there is no requirement for the developer to exercise that right.

Committee Member Patrick Edwards asked for clarification that if he owned a house within the pink polygon, his neighbor could demolish the neighboring house and construct middle housing. **Mr. Kuhfuss** stated that was the case.

Committee Member Massimo Sommacampagna asked if the property was deed-restricted, would that still be the case. **Mr. Kuhfuss** stated that deed restrictions are private agreements between property owners and that Middle Housing would not supersede that agreement. Committee Member Sommacampagna asked for clarity on the Central Business District. Mr. Kuhfuss stated that he was not sure how the statute defined the Central Business District, but the City of Phoenix has defined the Downtown Core as the basis for determining the one-mile buffer. Mr. Kuhfuss stated that there were other municipalities where the Central Business District was not aligned with their downtown area.

PUBLIC COMMENT

None.



Village Planning Committee Meeting Summary

Z-TA-1-25-Y

INFORMATION ONLY

Date of VPC Meeting

September 8, 2025

Proposal

Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Agenda Item 7 (Z-TA-1-25-Y) and Agenda Item 8 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

Staff Presentation

Adrian Zambrano provided an overview of House Bill 2721, noting that the State Legislature required cities with a population of 75,000 or more to adopt these regulations. Mr. Zambrano displayed types of housing that are known as middle housing. Mr. Zambrano shared the definition for middle housing within House Bill 2721. Mr. Zambrano shared where middle housing would be permitted, as required by the State law. Mr. Zambrano then shared State restrictions on implementation and the penalty clause within the State law. Mr. Zambrano summarized what text amendment case Z-TA-1-25-Y and the companion rezoning case Z-3-25-4-7-8 include. Mr. Zambrano then displayed the map for the Middle Housing Overlay District within one mile of downtown, noting that "downtown" includes all properties zoned Downtown Code. Mr. Zambrano shared the airport exclusion area that the State law does not apply to. Mr. Zambrano stated that properties zoned or designated historic are not exempt under the State law but noted that the law does not change existing design review procedures for historic or HP-zoned properties, does not change existing demolition restrictions for eligible historic properties, and does not require the City to allow two-story structures everywhere on a lot. Mr. Zambrano displayed a typical building setback exhibit and stated that middle housing must adhere to the same zoning development standards as a single-family home, including lot coverage, setbacks, height, projections, building design, and parking. Mr. Zambrano displayed graphics of different types of

middle housing. Mr. Zambrano shared that the State did not require the City to allow subdivision of lots developed with middle housing and noted that the City is not proposing to allow more lots nor smaller lots than is currently permitted by existing property entitlements. Mr. Zambrano discussed the additional subdivision opt-in provision included in the text amendment for new subdivisions of 10 contiguous acres or more to apply the MH Overlay District to 20 percent of the lots within the subdivision without public hearing, as required by the State law. Mr. Zambrano concluded with the timeline for public meetings and public hearings, additional resources, and key takeaways.

Questions from the Committee

Committee Member Anna Sepic asked why the lots with the MH Overlay District in a new subdivision 10 acres or more would be allowed to be dispersed randomly throughout the subdivision. Committee Member Sepic stated that the lots that have the MH Overlay District should be located adjacent to each other. **Mr. Zambrano** responded that the State law did not specify how to disperse the MH-zoned lots within a subdivision. Committee Member Sepic asked if the City is asking for feedback on how it should be implemented. Mr. Zambrano responded that the City is taking comments and feedback, but the City must still comply with the State law so there are some limitations on changes that can be made. Mr. Zambrano stated that staff could take the comment and look into it.

Committee Member Robert Goodhue stated that there have been certain subdivisions in the past that restricted lots to one-story along certain exterior boundaries of the subdivision in order to not affect other adjacent one-story properties. Committee Member Goodhue asked if the lots zoned for middle housing within a subdivision could similarly be restricted. **Mr. Zambrano** responded that the State law states that the City cannot restrict middle housing to less than two stories. Mr. Zambrano added that if the lots within a subdivision along a certain exterior boundary were restricted to one-story, then the lots zoned for middle housing would have to be placed elsewhere within the subdivision. Mr. Zambrano added that certain areas of a lot do not allow two stories, such as in the rear yard of the lot where projections are allowed.

Committee Member Jennifer Hall asked why the Village Planning Committees are hearing these items for information only. **Mr. Zambrano** responded that these cases are to comply with State law, so the City is only having these cases voted on at the two required public hearings for Planning Commission and City Council.

Committee Member Toby Gerst stated that this State requirement seems very onerous.

Committee Member Sepic stated that it looks like it would be at almost 100 percent lot coverage. **Mr. Zambrano** responded that the maximum lot coverage allowed for single-family residence districts is 50 percent, so lots within the MH Overlay District would still have to comply with the maximum lot coverage allowed. Mr. Zambrano added that an additional 10 percent lot coverage is allowed for attached shaded structures or accessory dwelling units (ADUs). Mr. Zambrano clarified that part of the text

amendment includes revisions that would only allow ADUs on lots with one primary dwelling unit on the lot.

Committee Member Robert Gubser asked for clarification that ADUs cannot be placed on a lot with a duplex or triplex. **Mr. Zambrano** responded affirmatively, noting that ADUs would only be allowed on a lot with one primary dwelling unit on the lot.

Committee Member Sepic asked if someone could buy a lot with a single-family home, demolish it, and build a fourplex on the lot by-right. **Mr. Zambrano** responded that if it is within the MH Overlay District within one mile of downtown, or on a lot zoned with the MH Overlay District within a new subdivision 10 acres or more, then it would be allowed by-right. Committee Member Sepic asked why the City chose downtown where there are historic homes. Mr. Zambrano responded that the State Legislature stated that the law applies within one mile of downtown, and the area zoned as Downtown Code states in the code that this area shall be known as “downtown”. Mr. Zambrano stated that this boundary is the adopted downtown area.

Committee Member Goodhue asked for clarification that any new subdivision of 10 acres or more is citywide. **Mr. Zambrano** responded affirmatively, noting that for these subdivisions it would only apply to 20 percent of the lots within the subdivision. Committee Member Goodhue asked if the units have to be owner occupied or if they can be rentals. Mr. Zambrano responded that the State law states that the City cannot require owner occupancy.

Committee Member Sepic stated that the majority of homes within one mile of downtown are historic properties. **Mr. Zambrano** responded that the State law does not take away existing design review requirements for historic properties, so they would still have to go through that process.

Public Comments

None.

Staff Response

None.

Committee Discussion

None.

Village Planning Committee Meeting Summary
Z-TA-1-25-Y
INFORMATION ONLY

Date of VPC Meeting	September 9, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Committee Member Will Holton joined the meeting during this item, bringing the quorum to five members.

Agenda Item 3 (Z-TA-1-25-Y) and Agenda Item 4 (Z-3-25-4-7-8) are companion cases and were heard concurrently.

No members of the public registered to speak on this item.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of House Bill 2721, noting that the State Legislature required cities with a population of 75,000 or more to adopt these regulations. Mr. Zambrano displayed types of housing that are known as middle housing. Mr. Zambrano shared the definition for middle housing within House Bill 2721. Mr. Zambrano shared where middle housing would be permitted, as required by the State law. Mr. Zambrano then shared State restrictions on implementation and the penalty clause within the State law. Mr. Zambrano summarized what text amendment case Z-TA-1-25-Y and the companion rezoning case Z-3-25-4-7-8 include. Mr. Zambrano then displayed the map for the Middle Housing Overlay District within one mile of downtown, noting that “downtown” includes all properties zoned Downtown Code. Mr. Zambrano shared the airport exclusion area that the State law does not apply to. Mr. Zambrano stated that properties zoned or designated historic are not exempt under the State law but noted that the law does not change existing design review procedures for historic or HP-zoned properties, does not change existing demolition restrictions for eligible historic properties, and does not require the City to allow two-

story structures everywhere on a lot. Mr. Zambrano displayed a typical building setback exhibit and stated that middle housing must adhere to the same zoning development standards as a single-family home, including lot coverage, setbacks, height, projections, building design, and parking. Mr. Zambrano displayed graphics of different types of middle housing. Mr. Zambrano shared that the State did not require the City to allow subdivision of lots developed with middle housing and noted that the City is not proposing to allow more lots nor smaller lots than is currently permitted by existing property entitlements. Mr. Zambrano discussed the additional subdivision opt-in provision included in the text amendment for new subdivisions of 10 contiguous acres or more to apply the MH Overlay District to 20 percent of the lots within the subdivision without public hearing, as required by the State law. Mr. Zambrano concluded with the timeline for public meetings and public hearings, additional resources, and key takeaways.

Questions from Committee:

Committee Member Eileen Baden thought it was interesting that the State said that the City could not require any structures to contain a fire sprinkler.

Vice Chair Scott Lawrence asked if this requirement is only for the City of Phoenix.

Mr. Zambrano responded that the restrictions on implementation within the State law apply to all cities and towns that the State law is applicable to. Mr. Zambrano added that there was a recent update to the Phoenix building code that was passed. Mr. Zambrano stated that they were also following this legislation and made the updates to the building code accordingly. Mr. Zambrano stated that the walls between the units would still have to be fire-rated walls.

Committee Member Baden asked for clarification that the City could still require one off-street parking space per unit. **Mr. Zambrano** responded affirmatively.

Committee Member Ozzie Virgil asked if homeowners associations (HOAs) could restrict middle housing. **Mr. Zambrano** responded that HOAs could restrict it in new subdivisions, but within subdivisions of 10 acres or more, at least 20 percent of the lots have to be zoned to allow middle housing, in order to comply with the State law. Committee Member Virgil stated that he does not believe the airport exclusion area is because of the noise and is instead because of potential airplane crashes. Mr. Zambrano responded that the City discourages residential within this area because it is so noisy from airplanes.

Chair Cotton asked if the State law would apply to Anthem, which is not a City. **Mr. Zambrano** responded that the State law would apply to any city or town with a population of 75,000 or more. Chair Cotton asked for clarification that the west side of Anthem is within the City of Phoenix. Mr. Zambrano responded affirmatively. Chair Cotton stated that there are multifamily residential condominiums that were built behind the Goodwill along Interstate 17.

Vice Chair Lawrence stated that they are townhomes.

Mr. Zambrano stated that they could have been developed under a certain development option in a single-family residence district that allows townhomes.

Committee Member Baden stated that it could be zoned for commercial as well.

Committee Member Will Holton asked how a population of 75,000 or more is defined. **Mr. Zambrano** responded that it would be based on the census data available for the city or town.

Committee Member Baden asked what the population is in the City of Phoenix. **Mr. Zambrano** responded that it is 1.6 million.

Chair Cotton stated that the census includes children of all ages.

Committee Member Holton asked if the images are real-life examples of what to expect. **Mr. Zambrano** responded that the images are graphics from the Opticos Design Missing Middle Housing book. Committee Member Holton expressed concern with access for emergency personnel. Mr. Zambrano responded that it would be treated the same as a single-family home. Mr. Zambrano added that the State said that the City cannot require fire sprinklers for middle housing but there would still be fire-rated walls between units.

Chair Cotton asked for clarification that there is nothing that the City can do since the City has to comply with the State law. **Mr. Zambrano** responded affirmatively.

Vice Chair Lawrence stated that the intent is to reduce housing costs since developers would be able to build more units on a lot.

Committee Member Holton asked if property taxes would be increased for the homeowner of the original home. **Mr. Zambrano** responded that he was not sure. Mr. Zambrano stated that the units would still all be on one lot.

Committee Member Baden asked about accessory dwelling units (ADUs). **Mr. Zambrano** responded that the text amendment would also update sections of the Phoenix Zoning Ordinance to only allow ADUs on a lot with only one primary dwelling unit.

Vice Chair Lawrence asked for clarification that middle housing would still be allowed outside of the one-mile radius from Downtown Phoenix. **Mr. Zambrano** responded that citywide, middle housing will be allowed on 20 percent of the lots within any new subdivision of 10 acres or more. Vice Chair Lawrence asked for clarification that it would not be allowed anywhere else throughout the city. Mr. Zambrano responded that it would not be allowed by-right. Mr. Zambrano stated that if a new subdivision less than 10 acres wants to have middle housing and is outside of the one-mile radius from Downtown Phoenix, or if an existing subdivision wants to build middle housing, then those subdivisions can request to rezone to the MH Overlay District through the public hearing process.

Committee Member Holton asked if the State law would allow tents or recreational vehicles as dwelling units. **Mr. Zambrano** responded that it would have to be a fixed structure. Mr. Zambrano stated that there are established definitions in the Phoenix Zoning Ordinance. Committee Member Holton asked if modular homes would be acceptable as middle housing. Mr. Zambrano responded that there are certain design review requirements for modular homes. Mr. Zambrano added that the text amendment will also update a section of the Phoenix Zoning Ordinance to require design review for middle housing. Committee Member Holton asked if middle housing would still have to figure out how to tap into the existing water and sewer lines. Mr. Zambrano responded affirmatively, noting that the Water Services Department would still review each site and would require certain improvements, if necessary, when going through the plan review and permitting process.

Committee Member Baden asked if the developers of subdivisions of 10 acres or more are required to build middle housing. **Mr. Zambrano** responded that 20 percent of the lots within a new subdivision of 10 acres or more are required to be zoned to allow middle housing. Mr. Zambrano stated that the developer can choose to not build middle housing on the lots zoned with the MH Overlay District and can choose to build single-family homes on those lots instead.

Committee Member Holton asked if there is any precedent for middle housing. **Chair Cotton** responded that when he stayed in Los Angeles, he rented a duplex. Chair Cotton added that growing up in New Hampshire, there were multiplexes everywhere. Chair Cotton stated that Phoenix is one of the only bigger places he has seen that does not allow it. Committee Member Holton asked if middle housing is a trend.

Committee Member Baden responded that middle housing is historical.

Chair Cotton stated that middle housing has been around forever, but Phoenix has only allowed single-family homes.

Committee Member Virgil stated that Oklahoma has a lot of middle housing.

Chair Cotton stated that Florida also has middle housing.

Committee Member Holton stated that this State law seems like it is full of problems, but he does not know what other cities have encountered. **Mr. Zambrano** responded that in Arizona, most cities and towns have only allowed single-family zoning. Committee Member Holton asked for clarification that this would be new to Arizona. Mr. Zambrano responded affirmatively.

Vice Chair Lawrence stated that in the past, developers were still able to build middle housing in Phoenix, as long as it was zoned for multifamily.

Mr. Zambrano responded that the difference with this law is that the duplex, triplex, or fourplex would be built on a single-family zoned lot.

Vice Chair Lawrence stated that a typical developer would likely locate all the MH-zoned lots together within a subdivision.

Public Comments:

None.

Staff Response:

None.

Committee Discussion:

None.



Village Planning Committee Meeting Summary

Z-TA-1-25-Y INFORMATION ONLY

Date of VPC Meeting	September 9, 2025
Proposal	Request to amend the Phoenix Zoning Ordinance to address Middle Housing as required by Arizona Revised Statutes, Section 9-462.13, by creating a Middle Housing (MH) Overlay District; and amend various other sections of the Zoning Ordinance to clarify terms and to ensure proper application of related state requirements related to Middle Housing

VPC DISCUSSION:

Item No. 4 (Z-TA-1-25-Y) and Item No. 5 (Z-3-25-4-7-8) are companion cases and were heard together.

No members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, began the presentation by providing background information on House Bill 2721 that required the City of Phoenix to allow middle housing. Mr. Rogers displayed examples of middle housing such as duplexes, triplexes, fourplexes, and townhomes. Mr. Rogers noted that middle housing must be compatible in scale, form, and character with single-family houses. Mr. Rogers summarized the middle housing requirements for the City. Mr. Rogers described the penalty clause that stated that if a municipality does not adopt regulations by January 1, 2026, then middle housing shall be allowed without any zoning controls or restrictions. Mr. Rogers added that properties designated historic are not exempt under the state law and provided an example where middle housing may or may not fit. Mr. Rogers concluded the presentation by displaying the proposed hearing timeline and contact information for comments.

QUESTIONS FROM THE COMMITTEE

Chair Arthur Greathouse III asked whether developers of new subdivisions of 10 acres or more would provide both a single-family and middle housing product. **Mr. Rogers** confirmed that new subdivision of 10 acres or more could develop with both housing products.

Committee Member Cassandra Alvarez inquired whether this was a statewide requirement. **Mr. Rogers** confirmed that the State law applies statewide.

Committee Member Mark Beehler asked whether the 20% middle housing in new subdivisions was a requirement or an option. **Mr. Rogers** clarified that it is an option.

Committee Member Greg Brownell asked for clarification on the overlay area. **Mr. Rogers** displayed the overlay map and described its boundaries. Committee Member Brownell asked if the one-mile buffer was measured from a central point in downtown. Mr. Rogers explained that it is measured from the boundaries of the Downtown Code.

Committee Member Brownell asked whether the State had reviewed or approved the proposed boundary. **Mr. Rogers** stated that he is not sure what the State has reviewed but confirmed that the proposal has been reviewed by the City's Law Department.

Committee Member Brownell inquired whether the proposal would allow two-story structures in the rear setback. **Mr. Rogers** explained that middle housing developments will still be required to comply with zoning standards, including setbacks, and the proposal will not change where two stories can be built.

Committee Member Brownell asked whether a one-story single-family home could add a second-story unit. **Mr. Rogers** stated that it could.

Committee Member Lee Coleman asked whether the proposal would impact Average Lot Subdivisions. **Mr. Rogers** stated that the proposed changes would consolidate subdivision options into a "Standard" option and a "Planned Residential Development" option.

Chair Greathouse asked whether there had been any research into how many units this proposal could add to the market. **Mr. Rogers** explained that research had not been conducted, as not every lot can feasibly fit four units or would redevelop.

Chair Greathouse asked whether 20% of lots or units would be permitted to develop as middle housing in new subdivisions. **Mr. Rogers** stated that it is 20% of lots.

Committee Member Trent Marchuk asked when in the process a developer would indicate they are using the middle housing provisions. **Mr. Rogers** explained this would occur during the platting stage. Committee Member Marchuk asked whether a developer could show a single-family product during rezoning and later add middle housing at platting. Mr. Rogers confirmed that is possible.

Committee Member Beehler asked whether the Village Planning Committee sees the plat. **Mr. Rogers** stated that the VPC sees the conceptual lot layout during rezoning, but platting occurs after that process.

Committee Member Brownell asked who would own the units if a developer built four on one lot. **Mr. Rogers** stated that there are no ownership restrictions and explained that condominiums are uncommon in Arizona due to State liability laws. Committee Member Brownell expressed concern that the proposal will not promote generational wealth.

Committee Member Beehler stated that middle housing is unlikely to be implemented in South Mountain, as developers may be reluctant to mix housing types and reduce home values. **Committee Member Marcia Busching** stated that middle housing lots can be clustered in one location within a subdivision and stated there is an upcoming rezoning case with a mix of townhomes and single-family homes.

Committee Member Marchuk asked how rezoning stipulations regarding building elevations would apply if middle housing is later designated. **Committee Member Busching** explained that middle housing lots must be identified at the time of plat recording. **Mr. Rogers** stated that the rezoning process is followed by the platting process and stated he would follow up with more information.

Committee Member Busching asked why this item was presented for information only rather than recommendation. **Mr. Rogers** stated he did not know but would follow up.

Committee Member Marchuk asked for clarification on the boundaries of the overlay. **Mr. Rogers** explained that the proposal includes two elements: a one-mile overlay surrounding Downtown, and a citywide provision allowing 20% of lots in new subdivisions of 10 acres or more to develop middle housing.

Vice Chair Emma Viera asked whether a subdivision could develop middle housing regardless of community input. **Mr. Rogers** stated that 20% of lots in qualifying subdivisions may develop middle housing, but the VPC can still recommend denial of rezoning requests. Vice Chair Viera emphasized the importance of community involvement. Mr. Rogers responded that State law prohibits requiring a public hearing for this provision.

Committee Member Brownell asked whether a property owner outside the overlay could add a second story unit. **Mr. Rogers** clarified that the 20% rule only applies to qualifying new subdivisions. **Committee Member Busching** stated a second story unit could be added through accessory dwelling unit (ADU) process.

Committee Member Coleman asked whether a duplex could be developed on an existing R1-6 lot. **Mr. Rogers** stated that it is only permitted within the overlay or in qualifying new subdivisions. **Committee Member Busching** noted that an ADU could be built.

Committee Member Marchuk referenced a development with a single large lot and asked if the proposal could increase its density. **Mr. Rogers** stated that the proposal only applies to new subdivisions.

Committee Member Brownell asked who reviews ADUs. **Mr. Rogers** stated that ADUs are reviewed by the site planning team and clarified that middle housing developments under this proposal may not include ADUs, as they are multifamily.

Committee Member Brownell asked whether someone with property in the overlay could build another home. **Mr. Rogers** stated that an additional unit may be possible if development standards allow it.

Committee Member Brownell asked whether middle housing could be used as short-term rentals. **Mr. Rogers** stated that he believes there are no restrictions on short-term rentals. Committee Member Brownell asked what restrictions exist for short-term rentals. Mr. Rogers stated that a notice to neighbors may be required.

PUBLIC COMMENT

None.

APPLICANT RESPONSE

None.

FLOOR/PUBLIC COMMENT CLOSED: COMMITTEE DISCUSSION.

None.